

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 13 2002

Returned to applicant for correction _____

Corrected application filed DEC 23 2002

Map filed DEC 23 2002

The applicant **Circle Bar "N" Ranch, A Nevada General Partnership**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion of water heretofore appropriated under Claim No. 96 of the Walker River Decree, United States of America vs Walker River Irrigation District et. al. in equity C-125, U.S. District Court.**

1. The source of water is **Walker River**
2. The amount of water to be changed **19.62 acres – 62.93 ac/ft – 0.24 cfs.**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **NW¼ NW¼ of Section 15, T13N, R25E, MDM., or at a point from which the W¼ corner of Section 10, T13N, R25E, MDM., bears N 19°02'27" W, a distance of 3375.22 feet. New Proposed Point of Diversion for McLeod Ditch Ref to supporting map filed under Application No. 69390**
6. The existing permitted point of diversion is located within **SW¼ SW¼ of Section 15 T13N, R25E, MDM. – River Pump (W.P. Williams Pump) As Decreed**
7. Proposed place of use **NE¼ SW¼ AND SE¼ SW¼ OF SECTION 3, T13N, R25E, MDM. NE¼ NW¼, SE¼ NW¼ AND SW¼ NW¼ OF SECTION 10, T13N, R25E, MDM.**
8. Existing place of use **Within the W½ SW¼ of Section 10, W½ NW¼ of Section 15, T13N, R25E, MDM. As Decreed**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **works will be constructed as under App 69389**
12. Estimated cost of works **refer to App 69389**
13. Estimated time required to construct works **refer to App 69389**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks:

s/Dennis Brazzanovich
 By **Dennis Brazzanovich - Agent**
5405 MAE ANNE AVENUE
RENO NEVADA 89523

Compared cmf/ cac lb/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of Claim No.96 of the waters of the Walker River as appears in "Docket in Equity" C-125 filed April 15, 1936, in the District Court of the United States of America in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Permit 69391 is granted for 0.24 cubic feet per second from the decreed source for irrigation of 19.62 acres within the described place of use and is subject to approval by the United States District Court for the District of Nevada.

Totalizing meters must be installed which measure the amount of water being diverted from the river and the amount of water being put to beneficial use at the vineyard. The locations of the meters must be submitted and subsequently approved by the State Engineer before any diversion can occur.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.24 cubic feet per second, as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 17, 2005

Proof of completion of work shall be filed on or before:

December 17, 2005

Water must be placed to beneficial use on or before:

November 17, 2008

Proof of the application of water to beneficial use shall be filed on or before:

December 17, 2008

Map in support of proof of beneficial use shall be filed on or before:

December 17, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of November, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____